

Quid Novi

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McGill University - Faculty of Law / Faculté de droit - Université McGill

Tales. That's all. Just Tales.

HELENE

BCL III

JUTRAS

Pour vous, la session en est à son midi, ou à peine plus. Pour moi, l'aube approche, l'aube de la vraie vie. Et dans la vraie vie, croyez-le ou non, il n'y a pas de Quid. Oh, ce ne sont pas le bureau surchauffé ou les caisses d'exemplaires tout nouveaux qui me manqueront, c'est la liberté de dire ce que je veux, de me défouler sur le papier et de savoir qu'au moins quatre personnes me liront (Véronique, Thanh-Tram et Rebecca parce qu'elles se doivent de corriger mes délires orthographiques, et mon chum... parce que je ne lui laisse pas le choix). Je me prends à me demander comment Jodi vit, loin là-bas, son sevrage quidesque. Je me console en pensant que je ne laisserai pas d'aussi grands souliers à chauffer pour les prochains, mais ça ne règle pas tout. Bref j'angoisse. L'angoisse de notre génération, j'imagine, qui ne sait pas s'il y a quelque chose qui l'attend après toutes ces années sur les bancs des écoles, avec cette dette étudiante qu'il faudra rembourser, dès six mois après la fin des études, je ne peux m'empêcher d'y penser. J'angoisse parce que la faculté m'est devenue confortable (assez pour que j'y passe l'été prochain), que je sais presque à quoi m'attendre, au bout de ces trois années qui m'ont souvent semblées interminables. J'angoisse,

et ce n'est pas nouveau, et c'est pourquoi j'ai décidé de faire changement, un peu, cette fois-ci, et de vous parler de choses que j'aime (oui, j'aime autre chose que les chats, mon chum et mon lit) plutôt que de vous faire part, encore une fois, de mes maux mis en mots. Pour les choses qui m'horripilent, je vous renvoie à mes chroniques précédentes et à celles, trop peu nombreuses, qui me restent.

1. Schulz et ses bébés

J'ai la moitié, bien exactement, de leur âge, et je les aime depuis tellement longtemps que je ne m'en souviens plus: les *Peanuts* de Schulz, même si lui-même n'aime pas ce nom qu'on lui a imposé. Devant n'importe quelle marchandise portant la bouille déconfite de Charlie Brown, ou la crasse de PigPen ou la malice gentille de Snoopy, je craque. Comme une automate, le regard vide, je sens ma main se glisser vers mon porte-feuille, les billets m'échapper, et je ne peux redevenir moi-même que lorsque la chose est bien en sécurité chez moi, et que, car je ne l'ai achetée que pour son bien, elle peut enfin rejoindre ses innombrables camarades, napperons, jarres à biscuits, débarbouillettes ou figurines. Devant un bouquin que je n'ai pas encore (ou mieux, devant un qui sort tout juste des presses), c'est pire encore. 8000 Talibans pourraient bien se mettre dans mon chemin, ils ne

Suite en page 3

Top Ten Things

Not To Say At An Interview

- 10) "Other than my laziness and lack of motivation, my only bad attribute is my poor hygiene."
- 9) "... so that's why my nose kept bleeding."
- 8) "Want to see my briefs?"
- 7) "I have been sent from the planet Zoltran."
- 6) "Hey! Didn't I see you at Super Sexe last night?"
- 5) "I am a teapot, short and stout ..."
- 4) "I knew I should have gotten drunk before coming here."
- 3) "Whistle! Whistle! Whistle!" (it's the accompanying action I recommend you avoid).
- 2) "Hoooooooooooooooooch! Ptooeey."
- 1) "I really need this job to pay off for that embezzlement thing."

THE EARL OF BALI

BCL III

STEVEN

LEITMAN

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CRA

President's choice

DOMINIQUE

LAPIERRE

BCL III

Nous en sommes maintenant à la deuxième partie de la session. Scary! And what does it mean? It means that the elections are coming and that we need candidates to run. Yep, the end of our term is coming soon so we need to be replaced! Andy Ain is in charge of the elections this year so if you have any questions, he's the man! (You can also come to the LSA office to ask me).

Saviez-vous que l'Université de Sherbrooke offrira en septembre 1997 des programmes de maîtrise et de diplôme en droit de la santé. Pour plus d'info, consultez le tableau du LSA.

Did you know that the teaching excellence award will be renamed the John W. Dunford Award for Teaching Excellence? Because Professor Dunford is retiring this year and has brought an outstanding contribution to this faculty, the LSA decided this would be its gift to him.

Saviez-vous que des sessions d'information sur comment contrôler votre stress seront organisées très bientôt? Nous sommes conscients que le niveau de stress est assez élevé à la faculté. Savoir qu'on est tous dans le même bateau et que Non! vous n'êtes pas la seule personne de cette faculté à faire face à des périodes de stress intense, quelle qu'en soit la raison, peut vous rassurer.

Did you know that the administration is rethinking the system of our course selection? Basically, the administration wants to modify the registration process. Now, the system is quite un-

fair. You get on the line at 6am and you win the jack pot (you have all the classes you wanted). You don't get on the line at 6 am (You don't have a speed dial!) so you get only what is left! The changes would be brought in the spirit of trying to solve this problem and many others. Keep in mind, the modifications are now at the proposal stage and realistically, the system cannot be perfect and won't satisfy everybody.

Saviez-vous qu'on essaie désespérément de faire réparer « the fan » dans la salle 102?!

Did you know that we now have beautiful sweatshirts in the Pit Stop? Thanks Elisabeth!

Saviez-vous qu'à l'automne 1997, le LSA aura la chance d'accueillir la Cour d'Appel du Québec? En effet, dans le cadre de son 150^{ème} anniversaire, la Cour d'Appel siègera toute une journée dans le moot court. McGill sera la première université à les accueillir! Pour les amateurs de droit criminel, cette journée sera pour vous. Merci Alex!

Did you know that Skit Nite is coming soon? I'm sure you do! Be there, March 13th at the Shatner building.

Saviez-vous que le SSMU veut remanier sa constitution?

Did you know that to play pool you need to have tokens? Yep! Because of the numerous break-ins, we had to take these new measures.

Un gros merci à Véronique pour avoir donné de son temps pour organiser des activités vouées à la familiarisation à la culture québécoise et à la pratique du français. Unfortunately, the turn out hasn't been really good...au moins, on aura essayé!

If you didn't know anything of the above, now you know!

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Announcements

1997 POST GRADUATE SCHOLARSHIPS applications (Botsford Busteed, John W. Cooke K.C. Prize, Macdonald Travelling, Thomas Shearer Stewart Travelling, Spiegel Sohmer Taxation) are available from the OUS.

In case you have missed the green notices from the École du barreau du Québec, applications will be available from the OUS as of 17th March 1997, from 09:00h.

Please remember to check the address/es which the university has on record for you. Labels for EARLY REGISTRATION MATERIALS will be generated on March 27th, selected by HOME/MAILING address. This means, your address label will show your HOME address for mailing your Early Registration Materials, unless the MAILING address is the only one on record. You should use OASIS to update address information (closest terminal, Powell Student Services Building, across Peel Street).

If you have a first-term SUPPLEMENTAL OR DEFERRED EXAMINATION to write in August and have not yet done anything about it, pick up an application form from the OUS and return it before April examinations begin. The cost is \$10.00 per examination.

If you have not yet picked up your TERM II EXAMINATION NUMBER, come to the OUS for it between 09:00-16:00h.

The OUS still has many PAPERS from the FIRST TERM. If you have not yet picked yours up, please do so by FRIDAY 21st MARCH. Papers unclaimed face the ignominy of the recycling bin.

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INSCRIPTION A L'ÉCOLE DU BARREAU DU QUÉBEC

Vous graduez cette année et désirez pratiquer le droit au Québec? Le temps est arrivé de s'inscrire au Barreau! Les documents d'inscription seront disponibles au OUS dès le **matin du 17 mars**. You should also take note that priority with respect to class schedules at the Bar school is given on a "first come first serve" basis. So if you really want the coveted morning classes, make sure to get your form filled out and delivered as soon as you can.

Si vous avez des questions ou des problèmes, n'hésitez pas à me contacter. Bonne chance!

Stéphanie Johnson,
BCL III, V.P. Droit Civil

ENVIRONMENTAL LAW CAREER PANEL — WINE & CHEESE

The Environmental Law Association of McGill (ELAM) will be offering a Career Panel — Wine & Cheese reception once again this year. A fundamental aspect of the panel is to provide information, and generate interest in the field of Environmental Law.

The Career Panel — Wine & Cheese reception will take place on March 11, 1997 from 4pm - 6pm at Thompson House. The event will commence with 10 to 15 minute presentations followed by a question/answer period.

Come and discover Environmental Law opportunities!

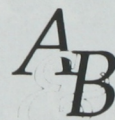
For more information please contact Sarah Geh at 840-8750 or Julie Wilson at 937-4720.

ÉTUDIANT(E)S DE PREMIERE, DEUXIEME ET TROISIEME ANNÉE:

Il sera bientôt temps, pour ceux d'entre vous qui seront ici l'année prochaine, de soumettre vos candidatures pour les concours de plaidoiries. Cette année, le processus de sélection pour les plaidoiries aura lieu au printemps.

Applications for next year's various competitive moots will be available at U.S.O. as of 9 a.m. March 17 and will be due back by 3 p.m. March 24. At that time, factums will be available and a sign-up sheet will be posted on the tutorial board for the run-offs which will take place on April 1 and 2. Decisions should be announced by April 7. Good luck to all interested parties.

Jodi Lackman
Legal Methodology Coordinator



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Prochaine date de tombée:
Vendredi 14 mars ~ 12h00

Suite de

«Tales. That's all. Just Tales.»

pourraient pas m'arrêter, car ce livre, il est inconcevable qu'il ne soit pas dans ma bibliothèque, il est inconcevable qu'il puisse, entre ses couvertures, cacher un dessin de Schulz que je n'ai pas lu, vu, dévoré, ri et aimé.

Je ne sais pas ce que c'est. Peut-être la méchanceté toute humaine du gentil beagle, peut-être la rage de Lucy que je comprends si bien, peut-être la couverture de Linus que j'aimerais bien avoir sous la main. Je ne sais pas, mais c'est une passion presque physique. C'est un élan viscéral qui me pousse à en savoir plus, à tout connaître des livres de Schulz, c'est une émotion incontrôlable qui m'étreint quand je revois Sally, bébé, et que Linus, alors, pense à l'inviter à sortir un jour, une compréhension totale de ce que Charlie Brown peut ressentir tout seul sous la pluie sur son monticule de lanceur. Et toute cette humanité présentée humblement par un vieux monsieur (mais qui ne mourra jamais, vous entendez, JAMAIS!) qui est encore tout émerveillé de gagner sa vie à faire ce qu'il appelle des gribouillis... ça me prend au coeur, et ça me tient au chaud.

2. Calvin et Hobbes

A kid and his stuffed-real tiger. All the anxieties of childhood, all the imagination that we lose bit by bit, and a simplicity in the drawings that makes you think of Schulz... who else? (I didn't make this up, Watterson himself admits *Peanuts* was one of his inspirations). After ten years, Calvin and Hobbes stopped living new adventures last year, but it doesn't matter: they did all they had to do. Calvin is the mean,

had no control over anything, that we really hated first grade, that that bully in the school yard gave us nightmares, and that we really wanted, at that time, to be twenty-something... Watterson remembers, and I guess that's why I feel such a strong connection with his work.

3. Tolkien

Depuis 1990, j'ai lu *The Lord of the Rings* une fois par année (c'est tout de même 1800 pages à chaque fois...). Et l'une des choses que je souhaite le plus fort au monde est de le lire encore, une fois par année, jusqu'à la fin de mes jours. Ce n'est pas pour me forcer que je me fixe cette limite d'une fois par 365 1/4 jours, c'est plutôt pour me limiter. Car je termine ma lecture, les larmes aux yeux, et j'ai envie de repartir au début, et ainsi de suite pour le reste de ma vie.

Tolkien, c'est tout. Il a des inspirations tellement variées que je n'espère pas en faire le tour dans cette vie-ci. Il a pris tout ce qui forme la culture occidentale, tous les mythes et tous les mystères qui nous font vibrer, et il en a pondu un chef d'oeuvre, tout en changeant pour toujours la face du monde qu'il a laissé derrière lui. Depuis, impossible de passer à côté de Tolkien. Chaque histoire fantastique qui s'écrit maintenant s'en inspire ou s'efforce de s'en détacher, fait référence à Tolkien ne serait-ce qu'en s'en détachant, puisqu'il faut maintenant expliquer ce que l'on entend par "elfe" ou "orc", car c'est sa définition bien à lui qui est ancrée dans l'esprit de millions de lecteurs. Bref, Tolkien, comme Schulz dans son domaine, est incontournable. Il a créé un

ure that out...). Well, that's really too bad, cause Strider and Elrond can turn you inside out, whether you're male or female. And Elric and Hawkmoon and Erekosë too. If you don't know what I'm talking about, well, you can always read *Sense and Sensibility* again, or rent *Four Weddings and a Funeral* and find it some quality I haven't been able to find.

4. My new baby: I call him lappy-toppy!

Brand new, just out, gotta love me! My new laptop is the greatest thing since bread was invented. Not sliced bread, bread! I love it, I love it, I love it! Me voilà une convertie, une anti-papier, une esclave de ce petit amoncellement de bits et de chips, qui ne saurait rester trop loin de moi plus de quelques minutes. Un vrai bébé, je vous dis, qu'on drolote et soigne, qu'on enveloppe soigneusement et qu'on se doit d'emmener partout, mais qui nous apporte tant qu'il vaut tous les sacrifices qu'il exige de nous.

5. Banana Milkshakes

Yes, banana milkshakes. At the end of a long day, I just love to throw a banana, milk and ice cream in the blender, and voilà! It's a little nothing, it's full of fat and calories, but it gives me the illusion that I'm free, in the middle of the summer, with my feet in the sand (for a better quality of illusion, I suggest turning the heat to 32(C, but don't tell your roommates if you split the electricity bill...).

6. Beavis and Buttthead

On s'éloigne, ici, de l'admiration intellectuelle que je peux ressentir pour

you have to think about it, cause you'd like to think you're not an idiot, and you think perhaps maybe someday you can figure it all out. Like, how come I've been climbing the damn hill for three whole years and it always seems as hard as the first time? How come Soquij sucks so much (it's like it sucks, but in ways things have never sucked before)? And, my personal favorite, and to which I really should devote more reflexion, why, oh why, do the photocopy machines pretend to give you back your card, then swallow it up again, and THEN let go of it? Is it a mafia conspiracy against law students not wasting time? Is it the bar association that thought it up, because we waste precious seconds every time we photocopy stuff, and at the end of our studies, we will have lost entire minutes watching our cards disappear, and then maybe we'll get discouraged and change our minds and decide not to be lawyers after all and they'll be happy cause being a lawyer is tough enough without the competition we represent? Is it some evil master-mind living in the hidden faculty dungeon that is trying to drive us all insane? Is it to make us used to incompetence, because we'll have to deal with it everyday at the courthouse? I'm pretty sure that's what it is.

The Mine Mind game

hyperactive, normal kid that summarizes all of Schulz's characters in one, and Hobbes is the sweetest fluffiest feline there ever was. He comes alive when no adults or strangers are around, just like *my* stuffed animals did! (You can tell already that I looooooved Toy Story...). I just love that realism about what being a child is, in all its craziness and its little/huge tragedies. So many of us have forgotten what it's like to be a child, and we think it was all fun and games, and we forget the imaginary lives we led. We forget that taking a bath was a big deal, that we felt we

monde, mais un monde qui vit à l'extérieur de son support de papier, un monde imaginaire que partagent des gens de partout dans le monde, qui les fascine et grâce auquel ils peuvent se retrouver parfois.

Ok, I can't resist, I'll rant for a little while. I can't stand the fact that I didn't hear about Tolkien until I turned 15, i.e. until a guy told me how cool his writings were. You don't have to look far for a reason, it's simple: I'm a girl (yes I am!). Nobody tells girls about science fiction. And, cause or effect, not that many girls like it (and many don't need to read any to fig-

les auteurs mentionnés ci-haut. Nope. Beavis and Butthead are plain stupid, even gross sometimes, but they are absolutely not politically correct, and it feels good sometimes to be 13 again, and forget about rationality and... well... intelligence. It feels good to say and hear stupid things like "wow, this group sucks; well, they all suck, but these suck like things have never sucked before", and then you add a stupid never ending laugh. "He he he, she said 'penal'"...

7. Les petits mystères de la vie

I'm talking about the stuff that makes life worth living for. Stuff that's so strange

Knowledge is a mine
Of mind
Games
Knowledge transcends time
And Kind
Aims
Knowledge manipulates with tact
Various situations
Skillfully
Knowledge knows when to act
On which intentions
Immediately
Knowledge is an intangible power
To Understand
Fundamentals
Knowledge can be a flower
Crushing in a hand
The Petals
Knowledge in principle and theory
Is an all attainable entity
For me and you
Knowledge can be disguised as
"airy fairy"
In short supply, yet plenty
Accessible to few
Knowledge is a status symbol
The emblem of the dignified
In society
Knowledge is a recognised protocol
Administered with pride
By the mighty
Knowledge can be a source of
humility
For its detainor, possessor or
transmittor
Constantly
Knowledge is intellectual property
That can be shared by its owner
With Humanity...
To enrich the Soul
Of the whole
Generation
And posterity
With dignity.

SOULETTE GRAY, BCL I

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Results of the New Law Library Student Survey

DEANNA MATZANKE, LLB III
CHAIRPERSON, NEW LAW LIBRARY
STUDENT COMMITTEE

The Student Committee would like to take this opportunity to thank everyone who filled out a survey. Your input is valuable and important. Please check out our website at <http://www.law.mcgill.ca/clubs/libstgrp/newlibr/home.htm> for more details.

We received a total of 218 surveys and the comments and suggestions were insightful, not to mention plentiful. The following are the results of the \$100,000 question as well as respond to a number of issues and specific questions which arose during the survey.

The \$100,000 question:

The actual results were:

Question 1

92 votes in favour of spending the money on purchasing computer equipment.

99 votes in favour of spending the money on increasing the library collections.

(5 students suggested that we split the money between the two projects - see below)

Question 2

149 votes in favour of a capital fund investment to increase the library collection.

21 votes in favour of a one-time buying spree to increase the library collection.

(Note: If the numbers do not add up to 218, it is because a number of questions were left unanswered).

It would appear, therefore, that a decision has been reached and the money donated by student contributions should

of the agenda on the first Student Survey held in February 1995 and has continued to be. As a result, there will be two group study rooms available in the new law library as well as a complex of six mooted rooms that will be available for use when the mooters are not using them. In addition, two other large rooms that have been set aside for graduate student use are susceptible of subdivision such that some of the space available could be used for group study as well. The inclusion of as many group study rooms as is possible given space and money limitations, is a continuing priority. Lastly, the rooms will most likely be available on a sign out system at the circulation desk, but that has yet to be discussed.

3. Re: Lighting

This was a huge issue for students and staff alike. The new building will have windows (treated to filter light) on all sides as well as a skylight that will bring in natural light. Currently, the issue of artificial lighting is in discussion. McGill has some seriously strict guidelines on fluorescent lighting that we are fighting against, but the fight isn't over. It's a top priority for everyone involved.

4. Re: Hookups for computers at tables and carrels

This is part of the overall decision to make the library capable of responding to the inevitable rise in the use of computers for library research, etc. The entire building will be wired to accommodate this and hookups will be available from basically anywhere. However, we also have to balance this with the fact that laptops can be quite noisy and many students have asked that an exclusive laptop area be designated

the new building.

10. Re: High ceilings, please.

The height of the ceilings will generally be eight and a half feet, sometimes nine. The highest ceiling is found in the third floor reading room whose ceiling is two stories high and over which the skylight is found. Students will also be able to sit next to the overhang on the fourth floor which looks down onto the third floor reading room. (Note: did you know that the current library used to have an atrium? See if you can see where they closed it off...)

11. Re: A study place where we can eat.

Sorry, no food in the library, period. The Student Committee is hoping that some of the space that is opened up in NCDH when the library is moved can be converted into a study lounge of this type - but those negotiations have yet to begin. We have to get the new building up first before NCDH sees any action.

12. Re: Basement shelving

The new building will have one sub-basement level and this area has been designated for compact shelving which will consist of older materials that are rarely used, but still need to be accessible. This was done to free up space on the upper floors for more current materials and increased study space.

13. Re: Couches

Marvellous idea. The suggestion has been made before and will depend on space allocation and budget.

14. Re: A small chapel in the library

Very interesting idea, but unfortunately, the space won't allow it. This would be a great idea to bring forward when the fate of NCDH's upper floors are revamped

16. Re: Plants in the library

This was a suggestion made in the first round of surveys and it's a good one. However, we haven't quite gotten to discussing it because we've been more concerned with tables, carrels, stacks and basic structural issues in order to have the plans ready for tendering on May 1st. The aesthetics, in terms of plants, will be on the agenda in due time.

17. Re: Suggestions to visit other libraries

This has already been done with a great deal of vigour and dedication. The Faculty Committee visited:

a) the renovated Supreme Court library in Ottawa

b) the Bora Laskin Library at U of Toronto (relatively new)

c) the Dalhousie Law Library (relatively new)

d) the Cornell Law School Library (relatively new)

e) the Columbia Law School Library (incidentally, they are a leader in information technologies)

f) University of Pennsylvania Law School Library (brand spanking new and also a leader in information technologies)

At each library the Committee took a tour and talked extensively with the staff on how it functioned ie: what worked, what didn't. This research was invaluable and has helped us avoid some of the pitfalls that other libraries have fallen into.

18. Re: Current library hours.

One student adamantly proclaimed that this is the law library (meaning our library) and we should be able to determine our own hours based on our needs. Un-

go towards the establishment of a capital fund investment geared towards increasing the library's collections. This information has been communicated to the New Law Library Faculty Committee and arrangements will be made to deal with the money in this way.

The rest of the survey:

Question 3

The suggestions made concerning the kinds of areas in which the current library collection is deficient were varied and lengthy. A list has been collated and forwarded to the Head Law Librarian, Bob Clarke who intends to use it as a basis for directing future donors to allocating their donations to augment collections in the suggested areas.

Question 4

The table space question showed that on average, students would like 25% of the total seating space in the library to be tables.

Question 5

And lastly, an overwhelming 96% said that you like to study by a window.

Here's an answer to your questions and concerns:

1. Re: Splitting the \$100,000 between computers and new collection material
The Student Committee, on advice from the Law Librarian and the Faculty Committee decided that splitting the money was not an option. The greatest impact can only be made using the entire amount. If we were to split it 50/50, we would end up with half the computers we need and only half the amount to invest which means the returns are also halved and the possibilities for increasing the collections diminished.

2. Re: Group study rooms

This was a very popular suggestion (and a very necessary one given the nature of some of our assignments - and I, too, find the talking in the library to be an utter nuisance) and believe me it was on the top

so that the noise doesn't disturb those around that are not using them. This issue is on the agenda and in discussion.

5. Re: Washrooms

There is a male and female washroom, wheelchair accessible on every floor of the five floor library.

6. Re: Photocopiers

There is a separately ventilated room on the upper floors for a photocopier and a separately ventilated room on the ground floor for a number of copiers. We have yet to find out what kind of copiers they will be, but the suggestions for copiers with feeders that allow double sided copies has been noted.

7. Re: Ventilation

This were a number of beseeches in the surveys for better ventilation. This issue ranked number one along with lighting in the first Student Survey as well as with faculty members. Believe me, lots of time, energy and money are going in to making sure this will not be a problem in the new building. In fact, it is the one area where no cuts have been made to fit our budget, nor are there going to be before the building goes up.

8. Re: Wheelchair access

One of the basic underlying concepts of the new building is that it has barrier-free access to all. This dimension was developed by Nora Bednarski in consultation with the Student Committee last year. Nora has been instrumental in outlining minimum standards and identifying problem areas. As a result, the entire library will be wheelchair accessible and the connections to OCDH and NCDH will also be level and accessible.

9. Re: The placement of carrels

A number of people complained about the placing of carrels in a row along the wall, indicating that carrels in a row, one behind the other, is a more effective way to study and keep noise down. That is precisely the orientation of all carrel space in

and renovated.

15. Re: Sitting by the windows is cold in winter.

Theoretically, this should not be a problem in the new building. But, as Reagan once said, "Trust, but verify..." After verification, I am assured that this will not be a problem.

fortunately, things don't work that way. The Law Library (as all libraries at McGill are) is under the direction and control of the University and is subject to budgetary constraints that prevent increasing the number of hours it is currently open. (Perhaps we should think about doing some student fundraising to deal with this problem... just a suggestion).

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HILLEL

NAT IV

NEUER

“The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out...” – well, we all know Section One. When, for kicks last year, I committed to memory the three dozen words of this distinctly Canadian provision, I never anticipated that one day I would be reciting them by heart to a classroom of attentive Hebrew University law students, in the presence of a retired Deputy-President of Israel’s Supreme Court.

As I soon discovered, a seminar today on Israel’s 1992 human rights legislation – responsible for a rights revolution in the Jewish state — can hardly avoid reference to the Canadian experience. For both of the new Basic Laws – one protects “human dignity and freedom”, the other the freedom to pursue any occupation – are marked by a provision which permits a rights violation provided it is passed by a law, which “befits the values of the State of Israel”, is “enacted for a proper purpose”, and “to an extent no greater than is required.” Moreover, one of these Basic Laws permits a law to unjustifiably violate rights, provided it is passed with a “notwithstanding clause.”

These and other similarities with our Charter and caselaw were recognized immediately by Israel’s interpretive community, chief among them Justice Aharon Barak, now the President of the Supreme Court. While the brilliant and influential Barak had always been fond of citing comparative law from countries such as the

two heavy tomes on the subject – the definitive works – he is responsible, as a former member of the Supreme Court, for having highlighted in his decisions the wisdom and relevance of Hebrew Law to areas as varying as euthanasia, the imprisonment of judgment debtors, or the legality of coalition agreements between political parties. In the area of criminal or penal law, Elon’s use of Jewish rather than Western legal sources regularly resulted in the extension of greater rights to the accused, this by virtue of the paramount Jewish value of human dignity.

If President Barak’s list of cases considered or applied will feature *Marbury v. Madison* or *Schacter v. A.G. Canada*, Elon’s list will include these but also reach back to the centuries of rich literature of rabbinic decisions (known as “responsa”), and to the source texts of the Talmud, Mishna, and Bible. In this manner, Elon believes he is fulfilling the purpose provision of the new Basic Laws which seeks to establish “the values of the State of Israel as a Jewish and democratic state.”

But few in our lively and animated seminar possess much of a Hebrew Law background, with most of the students identifying with Israel’s Western-oriented “secular” majority. Israel may have made peace with the Palestinians, but it has yet to resolve its internal culture war. Hence the non-religious students seemed initially to suspect Justice Elon’s approach as a judicial attempt to impose religious Jewish law or observance on an unwilling population.

Gradually, however, with Justice Elon slowly managing to get in a few words

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Court. While the brilliant and influential Barak had always been fond of citing common law, after 1992 he elevated the Canadian experience above all others. Read today a Barak decision (for those of you who are ready for a lengthy constitutional treatise written in Hebrew) and littered throughout you will discover familiar names like Hogg, Weinrib, and Dickson, as well as Oakes, Keegstra, and Big M. Indeed, Chief Justice Barak cites Canadian jurisprudence so often in his articles, books and cases, that one almost feels as though Israel must somewhere be statutorily bound to Canadian constitutional precedent.

All of which is to say, that my initial insecurity about my potential contribution to the seminar (given my ignorance of Israeli law) rapidly washed away in the first day when our teacher, Justice Elon, happened to ask (fortuitously for this McGill-trained student), "And does anyone in the class happen to know what the Canadian Charter says?"

* * *

Though our seminar tended to devote a bit too much time to administrative matters related to the essay – a phenomenon hardly foreign to McGill seminar veterans – when the time for substance came, I savoured every moment. For if my father has the privilege to speak with veneration of his late McGill law constitutional teacher F.R. Scott, I shall one day be able to speak of my studies with the legendary Justice Menachem Elon.

Justice Elon is an intellectual giant and scholar of the first rank, not to mention a fine, gentle human being. An Orthodox Jew, he is the modern father of Hebrew Law as it relates to contemporary issues facing the State of Israel. Having authored

population. Gradually, however, with Justice Elon's seminar, we got in a few words edgewise amid the typically Israeli free-for-all, the seminar's students were convinced that Elon's aim was not to convert Israel into a theocracy. The source of authority for Elon remains the positive law of the State. The idea is rather to recognize the wealth of Hebrew Law for the treasure that it is, and to seek to root modern Israel's development in the accumulated heritage of the ancient past. Sure enough, by our last class, students were expressing regret at their lack of sufficient training in the language and logic of Hebrew Law.

Incidentally, my topic for the seminar essay is none other than "An Analysis of the Israeli Supreme Court's use of the Canadian Constitutional Experience."

* * *

It would be impossible for me to complete this column without mentioning Israel's national tragedy of last month. Two transport helicopters bearing seventy-three young soldiers on their way to defend the country's embattled northern border, accidentally collided into each other and crashed to the ground, leaving no survivors. (Proportionately, this is equivalent to the U.S. losing 4,000 of its soldiers in a single accident.) Stunned, the country declared a national day of mourning, as stores closed and TV stations canceled broadcasts. A nation cries for its dead, and seeks the strength to continue in the path for peace.

(Hillel is studying on exchange at the Hebrew University of Jerusalem, and may be contacted by e-mail at osneuer@spinach.mssc.huji.ac.il)

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Top ten reasons

why Steven Leitman's Top ten came in late:

- 10 - He got so drunk during the Spring break he's still hung over.
- 9 - He was swallowed by the fan in room 102, which, as we all know, feeds on young men's blood.
- 8 - He got tired of all his fans following him around and sending love letters and boxes of chocolate at his home.
- 7 - He was kidnapped by a hord of horny nymphomaniacs that had just escaped from prison.
- 6 - He wanted to see if we'd pay him to get his Top ten.
- 5 - He's been abducted by aliens without humor and replaced by one that looks exactly like him.
- 4 - We did receive his Top ten but we decided not to publish it because it was too graphic.
- 3 - He wrote a Top ten, and sent it to us, but the CIA confiscated it to built its treason case against him.
- 2 - He turned to the dark side (read: The Law Journal) and, in the future, he will be writing his Top tens with footnotes and indexes.
- 1 - Dean Toope got an injunction to stop him from calling any member of the administration by a Star Wars's character name, and Steven is going on strike to protest.

Il n'est jamais trop tard pour célébrer l'amour

MARC-ANTOINE

NAT IV

JOSEPH

Je profite de ma dernière année pour soumettre un article au *Quid*. Notre noble journal n'aurait su se passer d'une telle prose émanant de ma créativité...

Le mois dernier, à l'occasion de la fête (commerciale) de l'amour, une édition spéciale du *Quid* a été publiée. Il s'agit d'une tradition où chacun et chacune de cette Faculté peuvent saisir l'opportunité d'émettre des messages flatteurs (ou moins flatteurs) à des confrères ou des consoeurs... ou des professeurs.

Ainsi, pour être sûr que ces messages seront envoyés aux "presses", la procédure est simple; déposer notre message inscrit sur un bout de papier dans une boîte placée à cet effet en avant de la salle du Tribunal-école - une boîte sur laquelle des coeurs sont dessinés. Il ne vous reste qu'à attendre patiemment que le *Quid* soit publié et attendre votre cours de *Canadian Legal History* pour vous divertir en le lisant.

Alors quelle ne fut pas ma surprise lorsque je me suis rendu compte que mes messages n'avaient pas été imprimés! Nombreuses interrogations traversaient mon esprit: l'équipe du *Quid* trouvait-elle mes messages trop stupides ou trop osés? Ou les membres de ce journal infâme sont-ils racistes? Les rédactrices étaient-elles jalouses car mes messages ne leur étaient pas adressés? Eh bien non.

C'est ainsi que lors des deux semaines qui nous étaient accordées pour soumettre nos messages à nos Valentins ou nos Valentines, il nous était également

je vous présente mes messages de la St-Valentin un peu plus loin dans ce texte.

Les employés de bibliothèque décrépités et le syndrome de Machiavel.

Définition: *Syndrome de Machiavel*: différents symptômes apparaissant suite à une croyance selon laquelle une personne vieille et non attrayante ait pu s'amouracher de votre personne; les symptômes suivants sont les plus fréquents: urticaire aiguë, nausées et vomissements, tentative de suicide, évanouissement, choc nerveux, et peur que ses pires cauchemars deviennent réalité.

Le 8 décembre de l'an 1509, Nicolas Machiavel, dans une lettre adressée à son ami Louis Guichardin, relatait une aventure qu'il avait eue avec une vieille "maquerelle" de Vérone. En fait, il semblait croire qu'il s'agissait d'une jeune femme qui en effet était une femme "affreuse" avec des cheveux "grisouillâtres. Le sommet du crâne était chauve, et l'on y voyait quelques poux en promenade... Elle portait le nez court, en pied de marmite, débordant de morve, une narine fendue. Sa bouche... tordue d'un côté, et il en suintait un filet de bave; car elle ne pouvait retenir sa salive, faute de dents. Sa lèvre supérieure portait une jolie moustache, longue mais clairsemée. Elle avait le menton pointu et crochu; il en pendouillait des peaux qui rejoignaient la racine du cou." Je vous gracie du reste des détails et il m'est nullement nécessaire de vous décrire les sentiments de dégoût et les réactions "gastriques" qu'a eues Machiavel suite à cette rencontre.

méprendre sur mes intentions? Je ne sais pas si notre bibliothèque a à son emploi une telle bibliothécaire, car en quatre ans de droit j'ai probablement été à la bibliothèque pour une durée totale de 12 minutes et 30 secondes (les bibliothèques de droit sont si passionnantes!). Toutefois, il est de notoriété publique que la totalité des bibliothèques ont à leur emploi au moins un "ancêtre" présentant les caractéristiques mentionnées ci-haut et qui est si bête que l'appeler "face de boeuf" serait une insulte à la race bovine! J'ai fait des recherches à Statistique Canada et une étude confirme en effet que la moyenne d'âge de l'employé le plus vieux de chaque bibliothèque canadienne à une moyenne d'âge de 102 ans et 2 mois. Donc, je présume que notre bibliothèque a au moins une bibliothécaire décrépite et sénile, étant probablement l'ex-femme de Lord Durham ou la soeur d'un des Pères de la Confédération. (Aux dernières nouvelles, aucun recours n'a été inscrit pour discrimination fondée sur l'âge par des candidats plus jeunes ayant posé leur candidature comme bibliothécaire) C'est dans ce contexte que j'ai présenté les symptômes de ce que j'ai appelé le *Syndrome de Machiavel*!

P.S.: aux bibliothécaires de notre noble Faculté: ces derniers passages ne sont que le fruit de mon imagination quelque peu affectée par la transformation de mon cerveau en crastillon du chef Groleau causée par quatre années de droit! Toute histoire semblable n'est que pur hasard.

Messages de la St-Valentin... un mois en retard!

Hmm! Quelles pensées, me demanderas-tu, traversent mon esprit? Laisse-moi, chère partenaire, te dire d'emblée qu'elles sont assez... vicieuses, très gourmandes, elles sont même, dirais-je, très osées!

Quelles sont-elles? Quelles sont-elles, me demanderas-tu avec passion, hâte, et sensualité...

Eh bien, chère dulcinée, en raison de ces frissons que tu me procures, mes bras sont si hérissonnés que je râperais un fromage mozzarella entier et nous dévorerions un bon "spagatte" gratiné avec une bouteille de la dernière cuvée de Hochtaler au pied de la télévision en écoutant "Alerte à Malibu"! Quelle romance, n'est-ce pas?

Je n'ose imaginer ta réaction qui, à ce point, saura sûrement me surprendre, et qui dévoilera sûrement tes sentiments les plus charnels!

Post Scriptum: j'espère ne pas me méprendre sur toi!

À Claudine Millette

Sincèrement, pour le futur, je ne te souhaite que de l'amour, de la paix et de l'harmonie.

À Claudine, Marie-Pierre et Marie-Andrée

Je ne peux attendre de revivre ces matinées, ces après-midi, ces soirées, et surtout, ces nuits intenses que nous avons vécues ensemble aux Jeux-Ridiques! Prenez-moi, je suis à vous..... grrrrrrr, je ronronne! Vous me l'avez confirmé, vous n'êtes pas lesbiennes! Mort à ces sales diffamateurs de l'Université de Sherbrooke!

possible de répondre à un sondage pour une nouvelle bibliothèque de droit (for which we don't give a f*** anyway!) La boîte pour déposer nos bulletins se trouvait aussi en avant du Moot Court sur une table. C'est en m'enquérant auprès de Véronique-Élizabeth Marquis au sujet de l'absence de mes messages que je m'aperçus que c'est dans cette boîte de sondage que j'avais mis mes messages. C'est ainsi, CHÈRES VALENTINES, que

Connaissant cette partie de la vie de Nicolas Machiavel, quelles craintes ne furent pas les miennes lorsque je m'aperçus qu'une vieille bibliothécaire velue de 95 ans, qui ne sourit qu'en raison de ses rides qui étirent ses lèvres, et aussi bête que des pieds chaussant des 20, aurait pu lire mes lettres de St-Valentin (que j'avais déposées dans la boîte du sondage de la nouvelle bibliothèque... for which we don't give a f*** anyway) et se

À Marie-Andrée Vermette
Cette lettre, ce message, cette voix douce (que tu peux sûrement entendre dans ton esprit), vient de mon coeur!

Lorsque tu me dis des paroles douces, près de mon oreille, tu sèmes en moi une semence de passion qui, de façon spontanée, résulte en des milliards de petits frissons sur mon corps (oui mon corps Marie-André, mon corps)!

Placement Talk

CHRISTIAN

BCL II

BERGERON

Je fais une courte réapparition dans le Quid, sans doute pour la dernière fois, afin de vous parler du programme des Mock Interviews qui a eu lieu il y a quelques semaines. La participation de 6 avocat(e)s, tous des anciens de la Faculté, a permis à 25 étudiant(e)s de prendre part au programme et ainsi de vivre une situation d'entrevue simulée.

Il ne fait aucun doute que le programme a plu à la grande majorité des participant(e)s. Chacun y est allé de commentaires constructifs qui permettront au programme de prendre de l'ampleur et de croître en qualité dès l'an prochain. J'en ai également profité pour demander aux participant(e)s de me raconter leur expérience afin de vous faire partager les fruits de ce genre de programme de formation. Les participant(e)s ont fourni de nombreux et généreux conseils dont je vous fais part à l'instant:

"The firms just want to get to know what kind of person you are and so you should just be yourself."

"Learn how to answer the very difficult question: Describe yourself and how those qualities will add to our firm? ... The best candidate is not necessarily the best student but rather the person who shares the enthusiasm for the same ends that the particular firm in question holds dear."

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"Be ready for the general question such as: Why would you be a good person for this job? or, Tell us about yourself ... Do not qualify your answers. Instead of saying "I think I am interested in...", just say "I am interested in..." It shows confidence."

" If there is something you consider to be important that you want them to know about, then don't wait for them to approach the topic. The student should be able to incorporate their experiences into the discussion. I was told to be prepared to manipulate the interview to

the information I want them to know. Also, try to relate your knowledge, experience to the needs of the firm."

"Il m'a fait remarquer l'importance de savoir changer instantanément la langue (français à anglais, et l'inverse!) dès que l'intervieweur le fait. Il m'a dit qu'il fallait éviter de reconnaître qu'il "manque" quelque chose dans notre éducation (particulièrement pour ceux comme moi qui arrivent du cégep), et dans certaines firmes, probablement toutes sauf les plus grandes, il n'est pas bon de mentionner dès le début que l'on veut faire des études

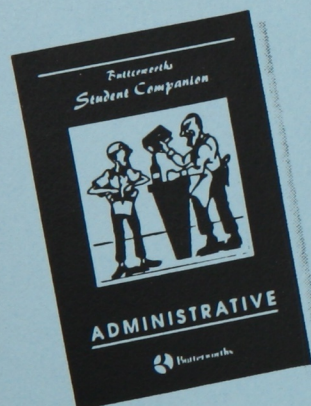
supérieures, car ces firmes planifient leur expansion année après année et ne veulent pas être retardées."

"Think of your interview like you would a blind date. The interviewer is interested in you and you in them, you are trying to find some common ground during the interview to know whether you want to pursue the relationship or not."

Je suis très confiant, tout se passera bien en entrevue pour vous. J'ai eu l'occasion de discuter avec plusieurs d'entre vous cette année (ma position est très intéressante à ce niveau, grâce à vous)

et je dois vous avouer que presque tous les jours j'ai le plaisir de rencontrer quelqu'un de nouveau à la Faculté, quelqu'un qui m'impressionne toujours énormément tant par ses expériences, ses connaissances que par sa personnalité. La qualité des gens qui nous entourent fait notre force.

I would like to conclude by saying that interviews for next year's Placement Officers (2) will be held in the beginning of March. If you are considering the position and would like to know more about it, contact either Clare (Mauro_c) or myself (Berger_c). You should know that it has been a pleasure to work with you this year, I would do it all over again anytime.



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